

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Anthony Bearden, #23704-076,) C/A No.: 1:12-3093-TMC-SVH
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Petitioner,)
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vs.)
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Kenny Atkins, Warden,)
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Respondent.)
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ORDER

This is an action filed by a federal prisoner seeking habeas corpus relief pursuant to 28 U.S.C. § 2241. Therefore, in the event that a limitations issue arises, the petitioner shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266, 272 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the assigned United States magistrate judge.

The petitioner paid the full \$5 filing fee (Receipt No. SCX600006090).

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the § 2241 petition upon the respondent because the petition is subject to dismissal without prejudice or a re-characterization. The Office of the Clerk of Court shall not enter any change of address submitted by the petitioner which directs that mail be sent to a person other than the petitioner unless that person is an attorney admitted to practice before this court who has entered a formal appearance.

TO THE PETITIONER:

The petitioner must place the Civil Action Number (C/A No.) listed above on any document filed in this case. Any future filings in this case must be sent to the address below. All documents requiring the petitioner's signature shall be signed with the petitioner's full legal name written in the petitioner's own handwriting. *Pro se* litigants shall not use the "s/typed name" format used in the Electronic Case Filing System. In all future filings with this court, the petitioner is directed to use letter-sized (8½ inches x 11 inches) paper only, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of paper. The petitioner is further instructed not

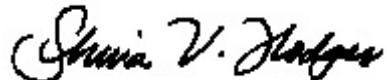
to write to the edge of the paper, but to maintain one inch margins on the top, bottom, and sides of each paper submitted.

The petitioner is a *pro se* litigant. The petitioner's attention is directed to the following important notice:

You are ordered to always keep the Clerk of Court advised **in writing** (at **901 Richland Street, Columbia, South Carolina 29201**) if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this order, you fail to meet a deadline set by this court, **your case may be dismissed for violating this order**. Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address and providing the court with the docket number of all pending cases you have filed with this court. Your failure to do so will not be excused by the court.

Put this order with your own record of this case so that you will not overlook your duty. If your address changes in the future, you must provide the court with your own new address.

IT IS SO ORDERED.



November 30, 2012
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge